

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, April 21, 2023

MEMBERS PRESENT:

Representative Ken Weyler, Chair
Representative Keith Erf
Representative Maureen Mooney (Alt.)
Representative Mary Heath (Alt.)
Representative Peter Leishman
Senator James Gray
Senator Jeb Bradley
Senator Dan Innis (Alt.)
Senator Lou D'Allesandro
Senator Cindy Rosenwald

(1) Fiscal Committee Rules and Procedures:

KENNETH WEYLER, State Representative, Rockingham County, District #14: Good morning. I will call the Fiscal Committee meeting to order for April 21st, 2023. And, first, we'll recognize the Legislative Budget Assistant, Michael Kane, for an explanation of a proposal on changing some of our rules.

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Thank you. Good morning, Mr. Chair, Members of the Committee. For the record, my name is Michael Kane, the Legislative Budget Assistant for the State of New Hampshire. Item number one on your agenda is a request to amend the Fiscal Committee's rules and procedures, and this is what directs our office to what we can and cannot include on your agenda.

So the request before you, there are two options, and the request is basically for the months of May and June to allow items that utilize funding from the American Rescue Plan or the Bi-Partisan Infrastructure Law or any other previously enacted federal relief bill to be authorized through June 30th, 2025.

That statement is basically saying if I receive an item and DAS receives an item that goes beyond June 30th, 2023, has to be related to these buckets of money. And then we would allow it on the agenda, which then the Committee would take a vote at that time to either approve or deny, so.

CHAIRMAN WEYLER: So does everyone understand? Normally, we're only dealing with the present biennium. However, every member of this Committee is going to be a vote for or against the budget for the next biennium. So it isn't as if we have no control going forward of those funds, because we'll all be in some manner voting them. So although this is an exception to what we do, I think that in my mind it's still something we are in some control of. It does save a lot of paperwork and perhaps lay-offs that might otherwise occur should we not approve one of these options for changing in our rules. Discussion among the Committee Members?

****** JEB BRADLEY, State Senator, Senate District #03: Move the question.

CHAIRMAN WEYLER: Senator Bradley moves the -- moves that we adopt.

KEITH ERF, State Representative, Hillsborough County, District #28: [Inaudible]. Just to pick one.

CHAIRMAN WEYLER: Option two. Have you looked at the two options? Is it for Option two you're moving, Senator.

SEN. BRADLEY: Yes, hm-hum.

CHAIRMAN WEYLER: All right. And Senator Rosenwald seconds that we adopt Option two. Is there any further discussion? All in favor say aye? Opposed no? That is adopted.

***** {MOTION ADOPTED}**

MR. KANE: Thank you.

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(2) Acceptance of Minutes of the March 24, 2023 meeting.

CHAIRMAN WEYLER: All right. Moving on to the rest of our business. Under Tab 2, acceptance of the minutes from the previous meeting of March 24th.

** JAMES GRAY, State Senator, Senate District #06: So move.

CHAIRMAN WEYLER: Senator Gray moves to adopt.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Senator Bradley seconds that we adopt the minutes. Any additions or corrections? Seeing none. Further discussion? All in favor of adopting the minutes as written say aye? Opposed no? The minutes are adopted.

*** {MOTION ADOPTED}

(3) Old Business:CONSENT CALENDAR

(4) RSA 9:16-a, I, Transfers Authorized:

(5) RSA 9:16-c, I, Transfer of Federal Grant Funds:

(6) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any None-State Source:

(7) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source, and RSA 124:15 Positions Authorized:

(8) RSA 124:15, I Positions Authorized:

AMERICAN RESCUE PLAN 2021CONSENT CALENDAR

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(9) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source:

CHAIRMAN WEYLER: We don't have any Old Business to deal with. We have a Consent Calendar that goes through Tabs 4, 5, 6, 7, 8, and 9. There are 24 items. I'll tell you the items that I've been asked to remove. And if you -- if you have some that you've asked to remove that I missed, please tell me so.

Under Tab 6, I'm removing 23-110, 23-111, 23-122, 23-137, 23-138.

Under Tab 7, I'm removing 23-128, and under Tab 8, 23-112.

Under Tab 9, I'm removing tab -- I'm removing item 23-124. Are there any other items that any member wishes to remove? Senator Rosenwald.

CINDY ROSENWALD, State Senator, Senate District #13: Thank you. Under Tab 9, has Item 123 been withdrawn?

CHAIRMAN WEYLER: It has been withdrawn.

SEN. ROSENWALD: Okay. Thank you.

CHAIRMAN WEYLER: Yeah, we have them -- we have a note to that. So that's not --

SEN. ROSENWALD: Thank you.

CHAIRMAN WEYLER: -- not on our agenda at the present time. Any other items? Seeing none. I'll entertain a motion to adopt the rest of the Consent Calendar with exception of the aforementioned bills.

** SEN. GRAY: So move.

SEN. BRADLEY: Second.

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CHAIRMAN WEYLER: Senator Gray moves, Senator Bradley seconds that we adopt the rest of the Consent Calendar. Any further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? The rest of the Consent Calendar is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: We will move to Tab 6, and the first item that has been removed is 23-110, Department of Business and Economic Affairs. Do we have someone here to answer questions? Taylor Caswell.

TAYLOR CASWELL, Commissioner, Department of Business and Economic Affairs: Good morning. Taylor Caswell, Commissioner.

CHAIRMAN WEYLER: Representative Erf has a question on the item.

MR. CASWELL: Yes, sir.

REP. ERF: Do you want to take them separately or together?

CHAIRMAN WEYLER: Yeah, no. This -- and this is also related to 23-122 so it might be well to discuss them at the same time.

REP. ERF: Instead of asking this question twice, I'll just ask you once. So what does equity have to do with Broadband and why is that a consideration in accepting these Federal funds?

MR. CASWELL: So under -- so what we've been dealing with to this point has been funding that's provided to the State through ARPA and the Capital Projects Funds. Those were the items that we had before you last summer and then again last fall.

These funds are now shifting us over to the Bi-Partisan Infrastructure Law or BIL or IIJA or whichever acronym you choose. This is a different part of resources. Included in that law is a require -- is a funding source to assist states in this matter of digital equity. So in most cases in our -- in our

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industry, what we're going to be looking at is the fact that we're going to be hooking up a lot of rural communities, both with the previous funds and with the funds that we have yet to receive. And as part of that there is an initiative within the federal -- Federal Law that would allow for assistance for people who are not used to dealing with digital interactions.

So an example would be for elderly populations that would be using Telehealth or getting access using a laptop or a computer, it would be funds that would be allowed -- used through the State to help those individuals access the digital component of the Broadband hook-ups.

REP. ERF: So I'm going to talk about this together now just so I understand what's going on. This is for half a million. The other one's roughly -- the other one's for 2 million. Maybe you just describe the difference between the two. But, more importantly, the question I have based on what you just said was are we talking about some of the funding, maybe that \$2 million, being to provide support to the individuals who need this help or we making decisions about who gets the Broadband access based on some sort of equity?

MR. CASWELL: No, no, no. Nothing to do with the former. This is exclusively about helping people access the Internet using the funds -- the hook-ups and the funds that we'll be using to connect those locations. So it's not deciding who gets the Broadband. It's -- it's assisting people once they have it how they use it, right? So that's the primary purpose of the Digital Equity Fund.

The other item under 122, that is a requirement to get access to the next tranche of funding under the BIL for continued activity in driving more broadband infrastructure in the state. So there's a significant amount of money that would come as a result of us completing that study, the \$2 million item. We -- we don't know what the final number will be, but we do expect it would be in excess of \$100 million additional to what we have received already.

REP. ERF: So, if I'm not mistaken, and I don't have it right in front of me, I believe that one also makes reference to Broadband equity.

MR. CASWELL: So both of them refer in many places to the whole digital equity component under the Federal Law. The thing to bear in mind is that these two items will result in access to two different pots of money, but they are both under that federal BIL sort of moniker.

REP. ERF: So does that mean the word equity is just that's in the title of the Federal Law or whatever? That's not - that's nothing to do with what the second pot of money is about. What is the second pot of money about, the \$2 million? What is that actually for?

MR. CASWELL: So the BEAD funding under the section, if -- all right. If I had a chart, it would be a lot more helpful. So we have the Bi-Partisan Infrastructure Law, the infrastructure legislation. Within that is a -- is the Broadband -- I mean, excuse me, the BEAD Program. Within BEAD Program there is a Digital Equity component, and then there is the infrastructure expansion component. We're talking about both of them here. The Digital Equity we're requesting \$525,000 to pay a contractor to -- to write the plan that will then be submitted to the Federal Government which should unlock funding for digital equity activities that I described earlier.

Uh -- the other -- the other pot of money, the \$2 million would be for a contractor to -- to design a plan that we would then, again, submit to the Federal Government, and upon their approval would unlock another pot of money. That would be the hundred million dollar item that I referred to earlier. And that's for the infrastructure investments themselves. I hope that makes some sense.

REP. ERF: No, that does make sense, but now let's stick to the \$2 million piece, the plan being -- because the title of it is for Broadband Equity Access.

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MR. CASWELL: Yeah.

REP. ERF: So I'm just wondering now does that plan that you're developing need to be related to equity in some form as far as how the Broadband access is going to be provided as opposed to an approach that gets the biggest bang for the buck? 'Cause now, you're talking about, if I understand what you just said, now you're talking about another tranche of money to actually install Broadband.

MR. CASWELL: I understand your question. Our understanding right now and -- is that the equity component is referring to people having access to the Internet, not access to the Broadband itself. We will continue on the track that we are on currently, which is expanding access to unserved and under-served areas of the state with these resources.

CHAIRMAN WEYLER: In another forum I went to, it -- here they're going down the road and if someone has a thousand foot long driveway to get to their house they exclude them because they won't want to spend the extra money to -- to send that much wire, might even require another pole. So equity means you don't skip them. You're going to give them access as well even though they might have their -- their residence further from the road that you're running the wire down. So that's -- that's what the equity is. You've got to cover everybody on the road, not just the ones that are close by. That's my understanding.

MR. CASWELL: Yes, sir, that -- that would be a correct interpretation. We are making sure that people get that access. We're currently in that instance that you described they would basically be charged for that thousand feet of their driveway, whereas that would not be the case with these resources.

REP. ERF: Thank you.

MR. CASWELL: Certainly.

CHAIRMAN WEYLER: Representative Leishman for a question.

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PETER LEISHMAN, State Representative, Hillsborough County, District #33: Thank you, Mr. Chairman. So several months ago we were approved dozens and dozens of million dollars for Broadband expense -- expansion. We had a number of people sitting here encouraging us to vote that way. Has anything happened there as far as have you put contracts out, has expansion start?

MR. CASWELL: Hm-hum. Yes, in both cases. So you'll remember there were two. The first one the Broadband Connect Program, we'll call it Round 1, was awarded to the New Hampshire Electric Cooperative. They have already begun work. They have -- I think they're in 50 different communities they're doing work right now. They're ramping up this spring to be able to put, they tell me, 20 miles a week of fiber out in the communities.

The second contract was awarded to Consolidated Communications. They are already beginning their work in planning for this summer's construction season. Both of them are under pretty strict time restrictions because these are ARPA funds. So they're moving quickly. Right now what we're seeing -- what we're expecting from both of these contracts is to be able to connect 50,000 new locations in New Hampshire that are either unserved or under served and get them to high-speed Internet.

REP. LEISHMAN: Chairman.

CHAIRMAN WEYLER: Senator Rosenwald for a question.

SEN. ROSENWALD: Thank you, Mr. Chairman. So is this going to be one contractor who gets two contracts? I'm trying to figure out when is -- like you get the Broadband, so then you could watch TV or maybe have a digital phone and Internet, and the other one is teaching people to use the Internet?

MR. CASWELL: Well, not so much to use the Internet but to -- with the high-speed Internet in communities that don't have that capability right now, you have people that have not had the experience necessarily of using their computer to talk

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with their doctor or to manage their finances or to do those sorts of functions. The Federal Law included resources to help states meet that -- meet the requirements of those individuals. So that's what the -- that one -- Item 110 is for. That is to hire. We'll put out an RFP for a consultant to -- to complete that plan on our behalf, which would then be submitted to the Federal Government. If it's accepted, then we unlock some resource for that particular purpose. It's the same process for the second item, 122. It's for a third party contractor to write a plan which then, you know, to meet the federal requirements. We would submit that to the Federal Government, and then that unlocks an additional resource for the infrastructure buildup.

CHAIRMAN WEYLER: Further questions? Remember, we are discussing both items, 23-111 and 23-122.

REP. ERF: [Inaudible] 110.

CHAIRMAN WEYLER: I'm sorry. 23-110 and 23-122. Any further discussion? I'll entertain a motion to adopt 110, 23-110.

****** REP. ERF: I'll move both items if you want.

CHAIRMAN WEYLER: All right, that'll be fine. Representative Erf moves both represent 23-110 and 23-122.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Second by Senator Bradley. Further discussion? Seeing none. Are you ready for the question to accept these two items? All in favor say aye? Opposed no? Those items are adopted.

***** (MOTION ADOPTED)**

CHAIRMAN WEYLER: Excuse me. We're moving to 23-111, and we also have questions on that, Department of Health and Human Services. Excuse me. Mr. White, welcome.

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NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Good morning. Nathan White, Chief Financial Officer with the Department of Health and Human Services.

PATRICIA TILLEY, Director, Division of Public Health, Department of Health and Human Services: Good morning. Trish Tilley, Director of Public Health.

CHAIRMAN WEYLER: Good morning. Representative Leishman had questions on item number 23-111.

REP. LEISHMAN: Thank you, Mr. Chairman. Thanks for taking my question.

On your Page 5 it lists the State Agencies that are receiving grants or states or Indian tribes, et cetera. And I was just curious looking at the comparison between Maine and Vermont, Maine and Vermont are receiving a lot more than we are. Is that because of eligibility that more people in Maine are eligible versus New Hampshire? I'm assuming that, but I just wanted to make sure.

MS. TILLEY: That is correct.

MR. LEISHMAN: That simple. That's all I have, Mr. Chairman.

CHAIRMAN WEYLER: That mean more children or more low income?

MS. TILLEY: A proportion of -- we were probably -- certainly a greater proportion of low income.

CHAIRMAN WEYLER: Thank you. Senator Rosenwald.

SEN. ROSENWALD: Thank you. Are we reaching every eligible person in New Hampshire and we just have fewer eligibility or are there things we could be doing?

MS. TILLEY: Sure. So we are certainly not reaching every eligible person in New Hampshire. Let me rephrase that. Everyone who is eligible for WIC does not participate is probably the safest way to say that. We have been doing extensive outreach efforts. We believe -- we've actually seen an uptick after years of declining enrollment. We are now seeing an uptick again. We think that's, in part, due to the pandemic. It may also be, in part, right now as SNAP benefits decrease, people are coming back to using WIC as well. Because WIC is, you know, SNAP is a cash benefit, WIC is a food package, so it's a little bit more complicated or at least restrictive than cash benefits.

CHAIRMAN WEYLER: Further questions from the Committee?

** REP. LEISHMAN: Move the item.

CHAIRMAN WEYLER: Representative Leishman moves the item. Senator Bradley seconds it. Further discussion? Seeing none. You ready for the question? All in favor say aye? Opposed no? We've adopted item 23-111.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Moving now to 23-137. This is the Department of Administrative Services. Welcome.

SHERI ROCKBURN, Assistant Commissioner, Department of Administrative Services: Good morning. I'm Sheri Rockburn. I'm the Assistant Commissioner for the Department of Administrative Services.

CHAIRMAN WEYLER: And this was a -- someone had a question on the food distribution warehouse. Again, I believe it was because of the fact that there seem to be a big difference -- even though the last item had a big difference in -- uh -- qualification among the New England states, this was a different kind of alignment. And we wondered why -- why one -- one program is affected by the poverty and this one less so.

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MS. ROCKBURN: So I can talk a little bit about the -- I'm sorry.

CHAIRMAN WEYLER: Attachment B.

MS. ROCKBURN: Yeah.

CHAIRMAN WEYLER: New Hampshire this time has about the same amount of money as Rhode Island and about half as much -- less than half as much as Maine, and, obviously, a lot more than Vermont. So we're wondering about the different criteria that they vary from state to state. We saw in the last one that the other states seem to have more poverty, now that's not the case. So what is this based on?

MS. ROCKBURN: The Director was unavailable to be here this morning. So the questions that I thought were coming through the LBA was about the -- the program itself and the commodities. So I brought that information with me. So I can -- let me find out a little bit more about that mechanics of the program in terms of why our dollars would have changed. Senator.

CHAIRMAN WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. Yeah, I did have a question about the commodities, the Commodity Distribution Program and what was happening with regard to that. I've been involved with that for a long period of time.

MS. ROCKBURN: So I can speak to that. In terms of the program itself and the formula, I can try to get that answered before the end of the meeting to get back to you on that.

In terms of the program itself, we receive funding through the Federal Government for assistance for food service. We contract with one organization, that's the Community Action Program of Belknap and Merrimack. And the funding that we receive is both for administrative costs to run the program, and then also sort of the value of the food. That organization, the

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warehouse is located in industrial -- on Industrial Drive up in the Heights, sort of near 106, Route 106. The food gets delivered there from the U.S. Department of Agriculture, and then it gets distributed to local organizations throughout New Hampshire; food banks, pantries, et cetera, homeless shelters.

In Fiscal 22, last year we received about 4.3 million in food value. This grant or the item in front of you is to accept additional money for the administrative cost of the program. And I do have a list. I sent it through the LBA but can provide it to all of you if you haven't seen it is the types of commodities which really range from almonds up through peanut butter, through chicken. So it really is, you know, both perishable and non-perishable goods.

SEN. D'ALLESANDRO: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: The other puzzling thing was why did Administrative Services get involved rather than HHS?

MS. ROCKBURN: I don't know -- I don't know the answer or if anyone at HHS knows that. It goes through our Department. I don't know the back story on that. It's been running through our Department since the inception of the program. So I'd have to do a little digging of why our Agency ends up being the recipient.

CHAIRMAN WEYLER: Further discussion from the Committee? We'll entertain a motion to adopt --

****** SEN. D'ALLESANDRO: Move the item.

CHAIRMAN WEYLER: -- 23-137. Motion by Senator D'Allesandro, second by Senator Bradley to adopt the item. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? The item is adopted.

******* {MOTION ADOPTED}

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CHAIRMAN WEYLER: Next item number 23-138. This is HHS. Representative Erf had a question.

REP. ERF: I had several if that's okay.

CHAIRMAN WEYLER: That's fine.

REP. ERF: The first one that I think is easy. Where are the three centers located?

KATJA FOX, Director, Division for Behavioral Health, Department of Health and Human Services: Sure. I'm sorry. I turned it off instead of turning it on. So good morning. I'm Katja Fox. I'm the Director of the Division for Behavioral Health. And the centers that are -- so there are three centers as you indicated. Manchester received a planning grant, which has actually concluded, and then the other two that have current grants are Nashua and West Central Behavioral Health which is in Lebanon.

REP. ERF: Sorry. I have to write too many things down here once. Okay. So the next question is it makes reference to developing new Medicaid payment systems. Can you tell me what that means?

MS. FOX: Yes. So as part of this process there are certain requirements about how the clinics are set up. So they have criteria, and I think some of that is included in this request.

There is also a requirement that we look at how we reimburse the Centers in this model. So that is why some of the funding is going to go for our actuary to be able to help us with that. But it's on the premise of a prospective payment, which is the way that we currently fund our federally-qualified health centers and our hospitals.

REP. ERF: Thank you.

MS. FOX: And Henry Lipman is here if there are more Medicaid funding questions.

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REP. ERF: Maybe let's go to him then. So it also talks about improved models and infrastructure for data and metrics tracking and quality oversight. So I have two questions related to this. What metrics are being tracked and how are we and the public be able to see the results of that tracking i.e., so we will know that you're being successful or the program is successful or less successful?

MS. FOX: So, again, thank you for that question. This is going to really provide us the outcome data that we've all been searching for. We often have that process data, and we count how many people served and -- and ages and demographics and things; but this will allow us to look at outcome data to see how successful the clinics are in their work with individuals.

REP. ERF: And the second part of that was, and how will we, the Legislature and the public, also be able to understand how successful they were?

MS. FOX: Absolutely. We have reporting requirements. But beyond that, it's really important for us to be sharing that information so that you'll have it. We all have it. And we've done a lot of work within the Department to create dashboards and to create accessible data for our transparency and for every -- the public to see how we're doing. So that will be part of this process as well.

REP. ERF: Great. I hope when we do the budget the next cycle at the very least we would see that kind of feedback.

MS. FOX: Absolutely, we all need it.

REP. ERF: Thank you.

CHAIRMAN WEYLER: Senator Rosenwald for a question.

SEN. ROSENWALD: Um -- the prospective payment system, that's a higher reimbursement rate, isn't it? It's sort of a -- I don't know, I think the Community Health Centers, they

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get a higher level of payment. Do -- do you know what the differential is in amounts that maybe would increase funding to these Community Mental Health Centers if we went to the perfect -- prospective payment system?

MS. FOX: Yeah, I think there are a lot of discussions and a lot of theories of what that would be and what that would look like, and how much more it would be. I do not have that information because that's the purpose of the planning grant is to go through that process.

What we want to make sure is that the providers are paid for the services that they're delivering, and that it's high quality care and there's access for individuals. So whether that is going to be more, we know we have the budget that was passed by the House and into the Senate that has significant Medicaid rate increases, which goes a long way toward helping our providers in the community. And if Henry wants to stand up behind me, he's welcome to; but he has more experience in this payment methodology than I do, because of the providers we're talking about.

HENRY LIPMAN, Director, Office of Medicaid and Policy, Department of Health and Human Services: Good morning. For the record, Henry Lipman, the State's Medicaid Director. I think we do have to do the actuarial work, but the basic gist of the model that's being evaluated is to provide a more stable funding to Community Health Centers so that they can make the investments and staffing and what have you.

We currently work under sort of a two-level system right now, one where there are the FFA service rates plus under the Managed Care Program the CMHC's participate in a capitation contract. So it's hard to know whether someone is going to be better off or worse off with respect to their finances until we do a little bit more analytical work here. But, generally, I think the funding sources intended to provide a little more certainty in terms of streams of funding so that I think they can invest in the services to make the better outcomes. And

certainly would be part of a budget that you would get to vote on in subsequent years.

CHAIRMAN WEYLER: Representative Erf.

** REP. ERF: Move the item if there are no more questions.

CHAIRMAN WEYLER: Representative -- excuse me -- Representative Erf moves 23-138. Senator D'Allesandro seconds. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? That item is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Moving onto Tab 7. The next one I had removed was 23-128, Department of Energy. Good morning.

JOSH ELLIOTT, Director, Division of Policy and Programs, Department of Energy: Good morning, Mr. Chairman, Members of the Committee. For the record, Josh Elliott, Director of the Division of Policy and Programs with New Hampshire DOE.

CHAIRMAN WEYLER: Senator Erf -- Representative Erf, did you have a question?

REP. ERF: Yes. So I'm only vaguely familiar with the LIHEAP. And I know what it is and what it's all about, and it's been going on for quite some time. So my question is not related to the funding for that. That's obviously great as far as I'm concerned; but what is your current staffing for running this program, and why do you need more staff to run a program that's been going for quite some time, as I understand it?

MR. ELLIOTT: Sure. Thank you very much for the question. So our current staffing, and we have two staff members who currently 100% of their time is devoted to this program. We are requesting a second staff -- excuse me -- a third staffer in order to help improve efficiencies in the program. Again, you're seeing, you know, over \$80 million just being handled by two

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folks. You have the increasing complexity with federal requirements on this program. We've had additional duties assigned based on the federal grants, including setting up a water assistance program as part of LIHEAP. So we're seeing great increasing complexity with complying with federal requirements for this program. That necessitates adding a third staffer who, again, will be able to improve efficiencies. Current staff is pretty stretched thin as it is, so it will give us a little bit of breathing room.

REP. ERF: So if I'm not mistaken, this is a temporary full-time position. Does that imply that it's -- this is only temporarily needed or what's going to happen at some point in the future?

MR. ELLIOTT: We will -- thank you for the question. So we will evaluate over the course of the next biennium. Obviously, there will be an item to re-up this once the new biennium starts. We'll take a look at this. Once we come in for the -- not the current budget but the -- I should say not the current budget under consideration but the subsequent budget after that as to whether or not either federal regulations have changed, there's some other changes with the program and either we'll -- we'll see what we need in terms of staffing at that point.

REP. ERF: Thank you.

CHAIRMAN WEYLER: I see you have several write-ups on this program in this -- in this Single Audit, Federal Audit. So is this person going to possibly help with some of those write-ups that have been brought up some of them the second or third time?

MR. ELLIOTT: Yes. Thank you for the question. Yes. Having those extra staff will make sure that, you know, we're following everything to the T. We'll make sure we are communicating with our business office, make sure we are following all federal regulations to the T.

CHAIRMAN WEYLER: Further discussion from Committee Members? Senator Bradley moves to adopt the item. Senator Rosenwald seconds. Is there any further discussion? Seeing none. All in favor say aye? Opposed no? The item is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Moving on to Tab 8, Item 112, 23-112 is from the Department of Health and Human Services again. Mr. White and Mr. Ribsam. Representative Erf, did you have a question?

REP. ERF: Thank you, Mr. Chair. So why are we specifically concerned with, and this is a quote from the document, the mission of OJJDP is to reduce the number of minority youth disproportionately served in the Juvenile Justice System, end quote.

JOSEPH RIBSAM, Director, Bureau of Child Protective Services, Division of Children, Youth and Families, Department of Health and Human Services: That's been a core mission of OJJDP for, as far as I know, decades. And the reason why it's been a core mission is that nationally there's been great disproportionality in terms of minority youth in the Juvenile Justice System and in the Adult Correctional System. So one of the core focuses of OJJDP and a requirement of the federal grant is that states do work to look at the disproportionality within their systems and try to do work to help find ways to reduce the disproportionality within their systems.

REP. ERF: So I'm assuming we're talking about SYSC but other things, but primarily SYSC. And, well, we obviously had a lot of recent discussions about we should be in there and that sort of thing. And I've had the impression that the decisions regarding who should be in there have nothing to do with race or ethnicity or anything of that nature. So I'm wondering why, you know, we need to look at this?

MR. RIBSAM: So the Juvenile Justice System is a lot bigger than just the facility. But I do have data that shows here, and

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it's consistent nationally, that minority youth are disproportionately part of the Juvenile Justice System, whether that's at the arrest decision point, at the decision point to file petitions, at the decision point to put a young person on probation, at the decision point to put a young person in placement, or at the decision point to have a young person be detained or committed. Not because explicitly race is a factor in those decisions, but those are the outcomes that we see in the data and that's the reason why for, again, going back, I think, 20 plus years this has been something that OJJDP has required states to consider and try to find ways to mitigate.

REP. ERF: Isn't it possible that it's because they commit more offenses that put them into that situation?

MR. RIBSAM: I think there's a lot of things that are possible, but I think there are probably many contributing factors to why we see those outcomes. And I think they're probably, you know, underlying factors that cause those outcomes as well, in terms of the types of supports and services that are provided to different communities is related to, you know, historical, you know, inequities in the way that folks have been treated over time. I think there's lots of things that result in this impact; but, nevertheless, the impact is seen in every state in this country.

REP. ERF: So if that's the case, will there be something you produce that we all will get ahold of to understand if, in fact, that is the case that it's because of race that people are being inappropriately put into the system?

MR. RIBSAM: I want to be very careful. I'm not saying that they're being put in because of race in terms of it being an intentional decision that people are doing to put, you know, to make these choices. What I'm saying is that the outcome in the data which I could produce and have a whole meeting on it if you want, shows that this is true in both the Child Protection and the Juvenile Justice systems.

REP. ERF: So I'm not questioning the data. I'm questioning your -- I'm asking if what's coming out of this an explanation of why we're seeing the data. And I'm, quite honestly, I'm less concerned with historically 20 years ago. I'm more concerned with currently. 'Cause it seems to me there's an implication here that there's something other than the people that are there are committed or -- or found guilty of offenses based on something besides the fact that they did something wrong.

MR. RIBSAM: Yeah. And, again, right, understanding the decision-making that individuals make at all these different points, at the point of first contact with law enforcement, at the point of arrest, at the point of whether or not to file a petition, at the point of whether or not to find that petition true and to have a young person go on probation or be placed or go to SYSC. All of those decision points there's lots and lots of factors that go in there. I don't have the ability to pick apart every decision in every case and tell you why those decisions make -- why those decisions are made. What I can tell you is that the outcomes are what the outcomes are and the goal of this is to look at trying to find ways to mitigate that.

Now, we are actively trying to find ways to mitigate that right now. The Juvenile Justice Assessment Program that we spent a lot of time talking about on the House side, in particular, which really has the goal of identifying youth needs early and making sure that youth are connected with resources early before they get pulled deeper into the Juvenile Justice System. Part of the goal of that is to try to help impact this, because we also know that minority youth are less likely to have access to some of those types of supportive services in the first instance. So you would be able to, hopefully, divert some of those folks to get the supportive services they need and prevent them from ending up deeper into the Juvenile Justice System.

REP. ERF: Let me be more direct. Will you be providing us a report on what you find, whether it's whatever the factors are, will you be telling us what these factors are so we understand what, in fact, is going into these -- all these

decision points you're talking about that you say right now you're not aware of what the -- what they could be?

MR. RIBSAM: It's a much more complex -- if I knew how to answer that question as to why we see disproportionate racial outcomes across so many systems in this country, I wish that I could answer that question. I do not have the depth of knowledge to answer that question. What I can tell you is that there is -- there's a Committee that just met yesterday with Assistant Commissioner Eddie Edwards at Safety with partners from across the state that looks specifically at this information and review the data about what we're seeing and try to figure out other ways we can try to better impact this outcome.

REP. ERF: But as a result of that, can't you report on it, what you found? I mean, it seems to me if there's a problem and you're correcting something, you must be able to talk about what you corrected. In other words, you keep saying it's so difficult. I get all that. But I'm not -- what I'm not getting is why we can't learn what these issues are.

MR. RIBSAM: As I said, I put together a pretty comprehensive deck of data on exactly this point. I'd be happy to come in and talk through both the data and both the things that we -- that we think are impacting that. I think I'm probably not the only person who could have that conversation. I think there's a lot of people who've done work in this space in this state that are probably even more qualified than me to be able to go into that, including many of the folks that sit on this Committee that met yesterday morning or yesterday afternoon.

CHAIRMAN WEYLER: I almost think the causes are more tied with poverty neighborhood and fatherless homes rather than race, and rather than trying to attribute to that single factor when all these other ones seem to be in play, we think that should come in that study. Further discussion from Committee Members?

****** SEN. GRAY: Move the item.

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CHAIRMAN WEYLER: Senator Gray moves, Senator Bradley seconds to adopt the item. Further discussion? Seeing none. All in favor say aye? Opposed no? Wish to be recorded?

REP. ERF: I recorded myself.

CHAIRMAN WEYLER: All right. The motion passes.

***** {MOTION ADOPTED}.**

CHAIRMAN WEYLER: Moving on to Tab 9. We have an Item 23-124, Department of Health and Human Services again.

KAREN HEBERT, Director, Division of Economic Stability, Department of Health and Human Services: Good morning. Karen Hebert for the Division of Economic Stability for DHHS.

NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Nathan White, Chief Financial Officer.

CHAIRMAN WEYLER: Representative Erf for a question.

REP. ERF: Tired of me now? I think this is the last one I'm going to get into. I'm just curious as to this is all about mortgage, lease payments, deferred maintenance and so on, in terms of what the monies are covering. And I'm just -- an expansion expanding outdoor spaces and so on. But the title of this or the lead in, if you will, the headline is it's to strengthen the workforce, which I assume means be able to bring more people in to do the job. Can you just speak to how the one helps the other?

MS. HEBERT: Sure, it's a great question. Thank you. So this is entirely about strengthening the workforce. And the intent behind this basically is with the reduction in operating costs, such as mortgages and the other examples in this, would free up funding in order to pay either higher wages or better benefits for the workforce for the purposes of strengthening the retention and recruitment efforts that are so needed in child care providers.

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CHAIRMAN WEYLER: Follow-up.

REP. ERF: So when you distribute the funds, is there going to be some tie-in or expectation that -- that the result of the savings up to the child care centers will be that that money gets reinvested in staffing as opposed to just reinvested in themselves?

MS. HEBERT: Yes, correct. So we will -- we're putting the details together now, but we really want to develop a formula that is fair and equitable but providers will need to demonstrate or provide that verification that they did reinvest the funding into their workforce.

REP. ERF: Thank you.

MS. HEBERT: You're welcome.

CHAIRMAN WEYLER: Senator Rosenwald for a question.

SEN. ROSENWALD: Thank you. Some of this infrastructure building seems like will take some time. Wouldn't it be faster to just invest these resources into the workforce, either through, I don't know, enrollment based payment or stipends or something that would get the money to these centers to the workforce more quickly? Why are you approaching it like it's not the first result, it's the second result of the money following up on Representative Erf's question? It just seems like it's going to take longer and it's more indirect.

MS. HEBERT: Sure, thank you, another excellent question. So there are -- this is a multi-faceted issue, which really needs a multiple -- multiple solutions that are both short-term and sustainable for the long-term.

So the Department put together the child care strengthening plan last year as a result of Senate Bill 446. There are many initiatives that were mentioned in that strengthening plan. This

is just one of them, and this is the one that GOFERR had provided the award for.

So, in addition to that, we do have a number of initiatives that we're implementing now that may address exactly what you're referring to that are more immediate. And that is through the ARPA discretionary funding. So the State is currently putting together a number of procurements to address a number of the other initiatives, including a recruitment and retention project that would essentially provide a pilot program with effective strategies for attracting, retaining, and increasing the recruitment and strengthening the workforce directly.

SEN. ROSENWALD: Thank you. But part of the problem that we hear is that capacity issue. So why does creating playgrounds increase capacity for the number of children that can be cared for in these facilities? I'm just not seeing that connection.

MS. HEBERT: Sure, great. Thank you. So the -- the idea behind something like a playground, so if there is a provider that essentially doesn't really have that kind of facility, but they have plans that they would like to be able to provide something like a playground that needs to be appropriate. It needs to be age appropriate and of quality. So they have plans that they're implementing that and that is where they are investing, but at the same time having this problem with recruitment and retention so that they can't -- they're not able to bring in the right number of staff or keep the right number of staff that would match their capacity. So the number of programs that are operating under capacity because they don't have the workforce to -- to take on more children that they have slots for.

So by investing in something like covering that kind of an operating cost that would significantly improve a provider's facility, that would free up those fundings so that they can provide -- they can allow for greater wages or better benefits that would attract more people into that particular industry.

With that, there are a number of other initiatives going on at the same time to really look at the different pipelines of where -- where can we really recruit people from. Number of partners that we want to start to invest in, including the business community, where we can really look at ways of partnering with businesses so that we do meet the needs of those businesses and employees that would be working in providers. Is that helpful?

SEN. ROSENWALD: One more follow-up. Did the Department -- why didn't the Department ask for money to do those things rather than this longer term and more indirect approach?

MS. HEBERT: Our request for in the child care strengthening plan that was submitted to GOFERR, also provided to the Legislature, we asked for a number of -- of items, including funding for recruitment and retention. One of the items included funding to help stabilize further the child care providers so that it would attribute to recruitment and retention. This is the item thus far that has been awarded. You're welcome.

CHAIRMAN WEYLER: Further questions on the item? I'll entertain a motion to adopt.

** SEN. GRAY: Move to adopt.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Senator Gray moves to adopt the item. Senator Bradley seconds. Further discussion? Seeing none. All in favor say aye? Opposed no? How many nos? Two. So we have eight-four. Motion is adopted.

*** **{MOTION ADOPTED}**

CHAIRMAN WEYLER: Moving on to Tab 11, Item 23-114. Did I skip one? Thank you. 23-134 was still remaining on Tab 10.

(10) **RSA 9:16-a, I, Transfers Authorized, RSA 9:16-c,**
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**Transfer of Federal Grant Funds, RSA 14:30-a, VI
Fiscal Committee Approval Required for Acceptance
And Expenditure of Funds Over \$100,000 from any
Non-State Source, RSA 9:17-a, III, Limitations,
And Chapter 91:35, Laws of 2021 Change in Federal
Match Revenue:**

CHAIRMAN WEYLER: All right. This is Health and Human Services. Any questions on the item? Senator Rosenwald.

SEN. ROSENWALD: Thank you. MMIS -- MMIS on Page 5 is scheduled to get more money. Just seems like a sinkhole. And it just -- it's such a giant amount of money in the budget every year and then items like this. Why?

MR. WHITE: So -- um -- as -- as we'll be discussing on Monday or Tuesday, I believe, that Medicaid is coming to Senate Finance next week, the maintenance costs for the MMIS System are -- are significant, approximately \$80 million or so over the biennium. This -- the -- the -- the transfer that -- that we're asking here is to fund a recent amendment. And, Henry, I don't know if you want to speak to the details there.

MR. LIPMAN: Sure. One of the major pieces of this is a function of when providers query the system and get a response on people's eligibility, as you know our enrollment in Medicaid went from 178,000 to -- to 250 -- almost 252,000 at its peak. And now with the unwind, there's a lot more need for providers to be able to -- to be able to reach out and check people's eligibility. And we, in terms of what was in the original amendment to -- to fund that type of service and interaction with the system, we need more -- more opportunities to do that. Otherwise, providers will try to query and they won't be able to get back -- get out and get a response.

CHAIRMAN WEYLER: Further question.

SEN. D'ALLESANDRO: If I might, Mr. Chairman?

CHAIRMAN WEYLER: Senator D'Allesandro.

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SEN. D'ALLESANDRO: Thank you, Mr. Chairman. Well, thank you for [Inaudible]. The MMIS [Inaudible].

SEN. GRAY: Senator, you hit the mic off.

SEN. D'ALLESANDRO: All right. The MMI system has been problematic for many, many years. And we -- we talk about this at Fiscal. We talk about it during the budget cycle. We talk about appropriations. We talk about the match. We talk about what's being done. Isn't there any way where there could be some uniformity across the country with regard to this system because everybody has to make these reports. And is it -- is it -- isn't that an opportunity to get something that makes -- that makes sense? Um -- other than that, these kinds of appropriations, even though they're significant matches, and I'm not -- I -- I understand that, I mean, I -- it used to be a 90-10, and now I don't know what the match is now; but -- but, indeed, every year we look -- we look at this and you give us good rationale. I understand that. But there's got to be a more uniform system in place that everyone that must report is able to take advantage of. I -- I just find this to be incomprehensible. I was in the software business for a while and we were able to do things like that. But this is -- this occurrence goes on and on and on.

MR. LIPMAN: So I guess I'd like to answer in two parts. I guess the first part is when you've seen one Medicaid program, you've seen one Medicaid Program in many respects unlike software you can take off the shelf. That's not the case because as each state has little idiosyncrasies with respect to how they want the eligibility to work and other things, the reality is that it's -- you can't buy in many instances information off the -- software off the shelf.

I guess I would also say that, I think Commissioner Goulet's here, that the operation of the system today has vastly improved in the last few years. And -- um -- the second thing is that in which we'll be talking to you at the Senate Finance about is whereas, you know, I think the original system was

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installed and acquired when we were in a fee-for-service system. So after we made -- and this is long before my time -- after we made that investment, we converted to a managed care approach, which required a lot of rework to -- to get the system to -- to line up with that. But that's just an example of, you know, when you buy it for one function --

SEN. D'ALLESANDRO: Sure.

MR. LIPMAN: -- and then put it to use in another function it does require a lot of changes. But in terms of how the system is functioning it is -- I think if Commissioner Goulet's behind me, I think he would shake his head yes and I've heard him say it at Governor and Council because the same kind of concerns that you raise come up at Governor and Council as well.

But the other thing I think from a forward-looking standpoint is the strategy of modularity, meaning that rather than relying on one vendor to provide everything and you're -- when you go out to bid you're making a massive commitment to one vendor, the -- the strategy going forward is to -- to put it in pieces so that you can create more market competition for the components that you're buying. And that's -- that's the direction that we're going in. And that's, honestly, in terms of what CMS will support because I've seen these massive systems that a singular vendor have not been inexpensive to run. That they're trying to create more competition by creating different modules that get pulled together.

SEN. D'ALLESANDRO: Okay. Thank you.

CHAIRMAN WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Thank you. Separately, we're by approving this item losing \$10 million of Federal funds.

MR. LIPMAN: That's a different item.

MR. WHITE: Sure.

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MR. LIPMAN: But that's related --

SEN. ROSENWALD: Well, it's not the MMIS.

MR. LIPMAN: It's not related to MMIS.

SEN. ROSENWALD: But it's this item. What -- what programs or services might be affected by the loss of --

MR. WHITE: Sure.

SEN. ROSENWALD: -- this \$10 million?

MR. WHITE: So there's a couple of transfers within the Medicaid accounts that you'll see. We're moving funds to CHIP based on higher enrollments and the need there. We're moving it out of the main Medicaid account to the 7948. We have additional dollars as result of the 6.2 F-MAP that just phased out April 1. Now we're at 5% for the time being.

The State Phase Down payments that you see there, those were -- those were under budgeted in the current biennium. We do have a Prioritized Need Request that has gone unfunded to date of \$15 million for the current biennium. We don't receive any match on that payment. It's 100% General Funds. And so by moving that out of the 7948 we're reducing the 50/50 match and that's the \$10 million of federal funds that you see in the reduction there.

SEN. ROSENWALD: Thank you.

MR. WHITE: You're welcome.

CHAIRMAN WEYLER: Further questions?

REP. ERF: Thank you, Mr. Chair. So I have several. I'll give you what should be an easy one first, but I'm going to see if you can answer it. This makes reference to account number

5191, Special Medical Services. I could not find 5191 in any of the documents that I have related to DHHS.

MR. WHITE: 5191 is within the Bureau of Developmental Services. It's the Special Medicaid or Medical Services. It is contained within the spreadsheet on page --

REP. ERF: So I can't look it up right now because I don't have what you have. But I'll tell you when I did look it up, I didn't see it. I have an actual spreadsheet for the H the -- HB 1 as it passed the House. It's not in there. And I also have a document produced by LBA which is on their website which compares the Governor's request to what we did in the House. And I couldn't search for it in there either, and I couldn't search for anything else, so.

MR. WHITE: If you look at the current House Bill 1 for the -- it is on Page 618 of the current Operating Budget.

REP. ERF: Okay. Page 618?

MR. WHITE: Page 618, correct.

REP. ERF: Thank you. All right. I guess that was the easy one. Good. So now go to the ones I really care about. So 7948, which is Medicaid Services you talked about a lot of money coming out of that one; correct? Okay. \$13 million, if I'm not mistaken, which says that there was \$13 million in there that would have lapsed or that will lapse. And I'm just curious as to -- oh, and I might add that \$13 million will lapse in that account this year. You requested and we granted, if I'm not reading this incorrectly, for FY 24-25 an increase of \$25 million in year one and \$35 million in year two. So we're potentially lapsing 13 million from a much smaller budget, and yet we are still -- we're still asked to increase the budget over the coming years. So really two -- two questions. Why was the 13 million not brought up during the budget cycle and why was so much asked for in the next biennium?

MR. WHITE: Sure. So when we're looking at the Medicaid Program, we're looking across all of the accounts and the projections that we're seeing. The State Phase Down has been a known shortfall that we've had since July 1 of the prior State Fiscal Year. So when we look at those calculations, we make that assumption with what we're going to be carrying forward or what we'll have available to -- to lapse.

REP. ERF: So 7948 is the State Phase Down account?

MR. WHITE: No, it is not the State Phase Down account. But when we look at the entirety of the Medicaid Program, CHIP, Standard Medicaid, State Phase Down, we're looking at those numbers in totality to figure out what are we going to be needing. Are we going to be short? Are we going to be lapsing funds?

REP. ERF: Well, that's great; but we're talking about one particular account, 7948, which apparently would lapse -- will lapse 13 million if we don't approve this. Number one. And, number two, in the next biennium it's budgeted at \$60 million more than this biennium. So can you just speak to both of those. How can you square both of those circles?

MR. LIPMAN: Sure. With respect to the 22-23 budget, the assumption was that the Federal Public Health Emergency and the beginning of the unwind would start in October of '22. It's starting in March of '23. Actually, effectively, April 1st of '23. So that was one sort of unknown to all of us. I think throughout the sort of that period there was every 90 days it had to be re-authorized and there was no -- no clear signal in terms of what -- what would be expected. So that was our best sense of it when the budget was put together for 22-23.

We also, with respect to the 24-25 budget, the F-MAP percentage, right, is in the Consolidated Appropriation Act is being reduced from the 6.2%, to the five, to the two and a half, to the one and a half. The criteria in which we had to do the unwind was also not known as what we've been, you know, finalized as, that you can only do one-ninth of your population. So that's another factor that goes into it. We have a request in

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the current budget because we're concerned about the unwind and how fast we're actually able to -- to -- to -- to unwind and what level of appeals.

So far in the unwind, you know, with one month's experience it's gone according to plan; but it's pretty early in the process to -- to conclude how it's going to play out because we -- the way we approached our unwind was on a risk basis. Those people we thought most likely would close, because they were over income, or were likely not -- were likely ineligible or had not used any services in the past year, that's who we started with. So the likelihood that they're going to close and stay close is high. As we get into the more challenging populations, the people that, you know, have -- have coverage and have shown use of medical services, it's -- I think the variability and how that's going to play out is -- is a little bit more unknown. And certainly something that, you know, we would want to keep you apprised of as it -- as it goes along.

REP. ERF: So it sounds like you're saying that the increased F-MAP was more than we needed to cover the expanded populations under the emergency situation. But as that goes away, it's going to -- the remainder of the funding that we -- in other words, the equivalent funding we have right now this biennium is not going to be enough to cover the lowered, theoretically, as we phase people off, to the extent of \$70 million.

MR. LIPMAN: So the unwind will run through December. Okay. And then there is medical inflation that is occurring. And then there was some anticipation. So we -- we figured we could operate within about a 3% change in sort of medical inflation. And then whatever with respect to some level of rate increase we anticipated in terms of, at the time early on, you know, about a 3%, which turned out to be a very low assumption for 24-25, given what, you know, has come to be known of the workforce shortage being even more severe than when we started planning for it. But that's -- that's why you're seeing an increase in -- in -- in the 24-25 budget.

Certainly, to the extent that our contracts are not -- they're price limitations, if you will. If we spend less because we do better on enrollment and -- and what have you, that money isn't -- isn't going to be spent except to cover something like a known shortfall. You know, we -- this particular shortfall is a little bit hard to work through. And I understand there's so many issues that come at the Committee in working through. But this is a fixed dollar amount that we're -- we're told that we have to pay for drug coverage for people who are duly eligible in the Medicaid Program. It's a -- it's a fixed premium per person per -- per year, per month, and so when we bring forth the number, I understand it's been hard to take everything in, but that one is -- I think it's been several bienniums where we haven't been able to make a good case when we're presenting it enough to -- to convince to -- to budget directly for that as opposed to covering it in a different fashion.

REP. ERF: One last question. First of all, the last part I didn't understand, but I'll deal with that later.

MR. LIPMAN: Okay.

REP. ERF: But, more importantly, for this note as a whole, and we've seen these several times over the past -- well, since I've been doing this, and I've asked as -- I'm pretty sure I've asked, maybe you've forgotten, that I'd really like to see actual spreadsheets provided to LBA when you have notes like this so that I can actually understand where the money's coming from and where it's going to. It was not easy for me. I understand you've got a lot of verbiage in here and you've got some pictures that sort of show some of the going on. It's not really clear what's happening. I'd really like to see that so I can actually something I can study to understand where it's coming from, where it's going to. Because I'm always curious as I was just asking about here, how did you happen to have so much money in this account that we didn't -- that we were unaware of, particularly, as it went through a budget cycle. So that's just a commentary that I really hope that you'll please do that in the future. Thank you.

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MR. LIPMAN: We'd be happy to do that.

CHAIRMAN WEYLER: Senator Rosenwald for a question.

SEN. ROSENWALD: Question about the State Phase Down. If we've known since July, and I'm not sure which July, maybe it was the beginning of the budget, that we had a shortfall, why did the Department lapse the addition -- so much additional F-MAP along the way through last Fiscal Year? I think it was something like -- I know it was more than \$30 million, but it was maybe more than 50. Why didn't we hang onto that additional revenue and supplant General Funds along the way to make up the difference in this phase down?

MR. WHITE: So we -- we have to pay the Federal Government with General Funds where these payments are made to CMS, and we're prohibited from supplanting Federal Funds and General Funds. There's prohibition on that so we're not allowed to do that, which is why we're asking for the transfer here.

CHAIRMAN WEYLER: Further questions on the item? I'll entertain --

** SEN. GRAY: Move the item.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Senator Gray moves that we adopt item number 134. Senator Bradley seconds. Is there any further discussion? All in favor say aye? Opposed no?

REP. ERF: No.

CHAIRMAN WEYLER: One no. The item is adopted.

*** {MOTION ADOPTED}

(11) RSA 21-I:19-g, III, Use of State-Owned Vehicles:

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CHAIRMAN WEYLER: Now we'll move on to Tab 11. We have a voluminous report of vehicles that didn't achieve the minimum required mileage. What I would like is an explanation of why -- I remember when this was 12,000 and then it was 10,000. Now it's 83 -- 8,300 per year. And maybe an explanation of why it has come down year over year and by the -- also curious have we saved any money from all these miles that haven't been driven?

MS. ROCKBURN: So good morning. Sheri Rockburn, Assistant Commissioner, Department of Administrative Services. So -- um -- there's a formula that we used and it's -- we use it each biennium to calculate the mileage, what we call the benchmark mileage. So as you remember -- as you noted, Chairman, 10,000 at one point. It's down to around 8,000, and that formula is based on what we're actually spending in costs. So we have direct costs and operating costs that we use, and we look at the federal reimbursement rate to calculate an average cost per mile.

The spreadsheet is the very last page in your packets if you want to take a look at it. So some of this is just a function of the formula. It's not an arbitrary mileage number that's generated. We actually calculate the mileage based on sort of the average number of vehicles we have, the average cost that's happening, and the change in the federal reimbursement rates.

And so just as a comparison, I'll just give you a little background is while this year -- this waiver is for 119 vehicles that fell below that mileage that agencies had to ask for directly to retain those vehicles. Last year the number was 165 vehicles, and the year before that was 111. So just to kind of give you a reference of, you know, is 119 high, is it low? It's, you know, somewhat in-between the last two years. Over the three-year period this number hasn't fluctuated significantly.

As you know, the federal mileage rate has -- has traditionally been increasing about every six months or so. So that's really the nature of this. We don't determine I'll say

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exactly if an agency should keep it or not. We ask the agencies for input for whether they can -- they have a need for that vehicle or not.

In terms of savings, I think the hard thing is while the mileage driven has gone down, as you know the gas price at the pump has not. So I think that I wouldn't say we've had a significant savings even though the mileage has been lower.

CHAIRMAN WEYLER: Was that statement no significant savings?

MS. ROCKBURN: No significant savings, correct.

CHAIRMAN WEYLER: Is there any possibility as you go through these year after year from same agencies that have low mileage vehicles that they could do without one or two, especially where they have pool vehicles and -- and they're always five vehicles and there's two or three of them that don't make it every year. Why do they need them?

MS. ROCKBURN: We can continue to scrub that information when it comes to us. We do ask each Commissioner to submit information to our Department with a justification as to sort of why they need those vehicles retained. Those letters are attached to your Fiscal packet if you wanted to look at any agency individually, and they probably could speak to it better than us. We really ask for their -- their input directly.

CHAIRMAN WEYLER: I read a lot of them and they all seem to sound the same about COVID and working from home and that sort of thing for this last year. But it seems like perhaps going forward if they're not using these vehicles as much they don't need as many.

MS. ROCKBURN: We can work with them on that.

CHAIRMAN WEYLER: I can remember at a time when we went to just four cylinder engines and small cars. It doesn't seem like that trend has continued.

MS. ROCKBURN: We've tried a few different things in the fleet pool. We've also tried to look at leasing vehicles instead of State-owned and that didn't produce the savings that we had anticipated. I think this past year we've also struggled with, as most individuals, the supply of vehicles. So some of the vehicles that we traditionally have requested at dealerships we, you know, have been a little bit limited as well. So that's been a little bit of a struggle.

CHAIRMAN WEYLER: What I didn't see in here is the total number of vehicles you're tracking.

MS. ROCKBURN: I did have that. I believe that there is -- it's on a very small print on one of the pages. Just over 700 vehicles, 721 vehicles.

CHAIRMAN WEYLER: Thank you. Further questions from the Committee? Seeing none. Are you ready to adopt the item? Representative Leishman moves the item. Senator D'Allesandro seconds. Further discussion? Seeing none. All in favor say aye? Opposed no? That report is adopted. Thank you.

***** {MOTION ADOPTED}**

(12) RSA 177:2 Closing of State Stores:

CHAIRMAN WEYLER: Moving on to Tab 12, Liquor Commission is closing a store. Any -- any questions on the item?

REP. LEISHMAN: I have some questions, Mr. Chairman.

CHAIRMAN WEYLER: Representative Leishman has a question on the item. See Commissioner Mollica here.

JOSEPH MOLLICA, Chairman, New Hampshire Liquor Commission: Good morning, Mr. Chairman, Members of the Committee. For the record, I'm Joseph Mollica, Chairman of the Liquor Commission. With me is our COO James Vara and CFO Tina Demers. We'd be happy to answer any questions you might have. Thank you.

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REP. LEISHMAN: Thank you, Mr. Chairman. Thanks for taking my question.

So I noticed in your narrative this store was not one of your profitable. It was one of your least profitable stores. And it was interesting to see that they'd had some flooding issues here and so forth. I guess the concern I have is picking a store that's at least profitable and especially in a community that borders Massachusetts and not too far from Vermont, the impact it has on the community of Winchester, which is a struggling town. So I'm just curious about your comments.

MR. MOLLICA: Well, it was the least profitable store, the least profitable full-time store when we closed it. It had two full-time employees and five part-time employees. And it's -- it's very close to the Keene store and the Hinsdale store, which are both much larger footprints. This store was about 4,000 square feet. At the time the -- the Ashuelot River flooded the store. We closed the store. James was in contact with the landlord who refused to pay any damages. And then we used the store as a storage facility for some shelving and other things. We moved the product to the larger stores in the area which are millions of dollars higher in sales.

So I think to answer the question as to the effect on the community, I'm not really sure that it had an effect on the community as far as what we do as far as the business that we are in. Because we have stores that are a couple of miles away and serve those customers in Hinsdale on the Vermont border, in Keene, in Rindge, all -- all within that area. And, as you know, that area had a plethora of small stores for a number of years, quite frankly, under whelming and under serving the community. And we are trying, as we did in West Chesterfield, as we did in Rindge, as we look forward to do in a couple other communities out there to build larger stores that are more impactful for the consumers that come here from out-of-state.

REP. LEISHMAN: Thank you, Mr. Chairman. Thank you.

MR. MOLLICA: Thank you, Representative.

REP. WEYLER: Further questions on Item 115? Senator D'Allesandro moves to accept the item, and Senator Bradley seconds. Further discussion? Seeing none. All in favor say aye? Opposed no? One no. The item is adopted.

*** {MOTION ADOPTED}

MR. MOLLICA: Thank you, Mr. Chairman, Members of the Committee. Have a wonderful weekend. Thank you.

(13) RSA 216-A:3-g Fees for Park System:

CHAIRMAN WEYLER: You as well. All right. Tab 13, item number 23-139, Department of Natural and Cultural Resources. Any questions on this item? Seeing none. Are you ready for the question? I'll entertain a motion to adopt 23-139.

** SEN. BRADLEY: So move.

CHAIRMAN WEYLER: Senator Bradley moves, Senator Innis seconds that we adopt Item 23-139. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no?

*** {MOTION ADOPTED}

REP. ERF: Who seconded?

CHAIRMAN WEYER: I-N-N-I-S, Innis.

REP. ERF: Who are they in for?

CHAIRMAN WEYLER: He's replacing Birdsell.

REP. ERF: Thank you.

(14) Chapter 91:121, Laws of 2021, New Hampshire Veterans' Home; Transfer Among Accounts and Classes:

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CHAIRMAN WEYLER: Okay. Item on Tab 14, New Hampshire Veterans' Home, 23-116. Transferring some items. Any questions on the item?

** REP. LEISHMAN: Move the item.

CHAIRMAN WEYLER: Representative Leishman moves the item, Senator D'Allesandro seconds. Further discussion? Seeing none. All in favor say aye? Opposed no? That item is adopted.

*** {MOTION ADOPTED}

(15) Miscellaneous:

(16) Informational Materials:

CHAIRMAN WEYLER: Okay. It looks like the one I have on top is the New Hampshire Youth Development Center, 23-140. And we have the Honorable John Broderick here for any questions.

MR. KANE: Excuse me, Mr. Chair. There's two items. You mentioned the YDC item which is informational only. You do have one action item which is the 23-141 that you may want to take a vote on prior.

CHAIRMAN WEYLER: Very good. All right.

MR. KANE: Sorry.

CHAIRMAN WEYLER: I guess I have them both here. All right. So Fish and Game is an action item, 23-141. That's a late item transferring 115,000 to the Operating Budget. Any questions on the item? Senator D'Allesandro moves the item. Senator Bradley seconds that we adopt Item 23-141. Further discussion? Seeing none. All in favor say aye? Opposed no? That item is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Mr. Kane, any late action items?

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MR. KANE: That was the last action item.

CHAIRMAN WEYLER: Okay. Any questions while we have Judge Broderick here on the -- you have a question? Senator Rosenwald has a question for the Judge.

SEN. ROSENWALD: Thank you so much. Thank you for being here. Um -- my question is about the expenses of your office.

HON. JOHN BRODERICK: Senator, I'm going to apologize upfront. I've had a bad cold. My wife thinks I'm ignoring her. I'm not.

SEN. ROSENWALD: We'll tell her.

JUDGE BRODERICK: I'm having trouble hearing.

SEN. ROSENWALD: Okay. I'll try to speak loudly. My question is about the expenses of your office. Um -- when I total up your report and your expectation for this year it's somewhere approaching a million dollars for this year. Just wondering if you project the same level expense for the next two years or if you have a sense of what the expense of your office will be that will be deducted from the fund?

JUDGE BRODERICK: First of all, thank you. It's a very good question and it's perplexing to us. I've been in that office now for three and a half months. We have received claims as we've identified. This Committee knows probably better than I the back story on all of this that brought about this YDC Claims Office.

Um -- it's hard to know at this point how many claims will find their way to our doorstep. Of the claims that have been filed to date, with one exception, none of them are cases that are already in the Superior Court. So part of the intention of the fund, I think, was to have cases migrate from the Superior Court to the Claims Fund, of which there are about 800.

The claims we have received to date with one exception have not been filed in the Superior Court. So that group of cases, which are hundreds and hundreds, are remaining in place. And so it's hard to know whether they will migrate in time or not. And if they migrate in time, our office will be busier than it is now. And expenses that we tried to project were expenses of an office that's doing a very good job with a high level of cases. If we don't have the cases, expenses may be less. It's just -- just hard, Senator, to know after three months.

I -- I would say just as a data point, the first trial in the Superior Court of one of these sex abuse cases has apparently been scheduled for April of next year, 12 months from now. The lawyers involved in that case and the lawyers who have hundreds of these cases, I have no idea the severity of them. I don't know them. They may decide to stay put. They may decide to say let's see what happens next April. We'll have a jury trial. And depending on what happens there, we may be doing a lot more business in the claims office. We may be doing less business. And in the backdrop of all of that is the statute of limitations which this Legislature wisely created.

So the statute of limitations for filing a claim with us is the end of December of 2024. The first trial in the Superior Court, unless it's resolved, will be April of 2024. Depending on the result in that case, depending on whether it's appealed to our Supreme Court, I have no idea, the statute could run while that case is still alive. So if lawyers are waiting to see what happens in the Court system, by the time they realize, good, bad or indifferent, the door may be closed here.

So the claims process, as you well know, doesn't go on forever. What I would be interested in doing, and -- and I think you know, you created the job, and I give you kudos, I mean that, for creating this. It was exactly the right thing to do.

There's a fair amount of misinformation out there. There's a fair amount of ignorance out there about what this is really about, and how it's really going to work. This Legislature decided, and I think wisely, to create this fund to do it in a

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way that was trauma-informed; critically important and everyone saw that.

The Court system, as you know, as good as it is, is not trauma-informed. It's often trauma-inducing. So in terms of what we're trying to accomplish here, what you put in place I think is exactly right.

If the Legislature is interested in hearing from a neutral, I am totally neutral here. I do not have a horse in this race. I'm proud to be the administrator. I want to do the right thing. And I'm pretty circumscribed by the statute with the caps. Not complaining, that's what it is. But over the last three or four, five months, I've had a number of discussions with counsel. I've had one meeting with all counsel, about eight or ten of them. They have most of these cases. I've another meeting scheduled with them at the end of this month. I've been reaching out to the Department of Corrections. I mean, I've really been trying to touch base with the stakeholders. I want to learn as much as I can. But at the end of the day, my answers are exactly the same as yours, and the same as the people who were sexually assaulted or physically assaulted. And I want to resolve these cases in a trauma-informed, confidential, if the claimants choose to keep it as such, and most will, I believe, process that's reasonably prompt, trauma-informed.

But if you're interested, at some point, I know you have a long day today, after three or four months of dealing with it and having those conversations, I do have some thoughts about what you might consider doing to bring more people into the system. Some of them, I think, would cost nothing. Some of them might cause something in some of those cases. But as someone who's running that office now and knowing the intention of this Legislature, I think it would be profoundly sad 20 months from now to have the fund close and not many people who came into the system.

At that point the only place to go is the Court system with all its attendant stress, and all its attendant press. And at the end of it the day that won't accomplish what you want, in my

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view. It certainly won't accomplish a trauma-informed resolution.

And so if there's interest at some time, I'd love to sit down with all of you, some of you, just to share some thoughts. Obviously, you're free to reject every one of them. I understand that. My goal is to make this work, because the system you've created, I think, is inherently fair. I don't have any doubt about it. I wouldn't be associated with it if I thought otherwise.

I know a lot of people here did a lot of hard work to get to this point. The Attorney General has been very cooperative with our office. I'm independent, I'm neutral, but I deal with the Attorney General's Office. I deal openly with claimant council. I want this system to work. And I think it may require some adjustments to meet the goals you want. And if there's ever any interest, I'd be happy to talk to you about it.

CHAIRMAN WEYLER: Further questions from Committee Members? Seeing none. We look forward to further reports. Thank you, Judge.

JUDGE BRODERICK: Mr. Chairman, did you say we're all done?

CHAIRMAN WEYLER: Yes.

JUDGE BRODERICK: Thank you.

CHAIRMAN WEYLER: Thank you very much.

JUDGE BRODERICK: Thank you. It's been a while, Mr. Chairman, since I've been here. I apologize, but my wife will vouch for it. I can't hear that well right now. Thank you very much.

CHAIRMAN WEYLER: Thank you. There are further informational items. Does anybody wish to have questions on them? Seeing none. We're ready to move on to the -- to the audit.

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AUDITS:

STEPHEN SMITH, Director, Audit Division, Office of Legislative Budget Assistant: Good morning, Mr. Chairman, Members of the Committee. For the record, Steve Smith, Director of Audits, for the LBA. We're here to present the -- the Annual Single Audit of Federal Expenditures. As you know, our office retains KPMG to perform this audit. So with us from KPMG the Partner on the engagement is Marie Zimmerman, and also Dana Call, our State Comptroller for any questions and comments she may have. So --

CHAIRMAN WEYLER: Thank you.

MR. SMITH: I will have KPMG present their audit.

MARIE ZIMMERMAN, Partner, KPMG: Great. Good morning, Chairman, Senators, and Members of the Committee. My name is Marie Zimmerman. Thank you for the introduction, Steve.

I'm presenting to you today the results of the State of New Hampshire's Federal Single Audit for the year ended June 30th, 2022. This is, as you know, a compliance audit.

The total federal expenditures reported on the Schedule of Federal Expenditures and Awards was \$3.5 billion, and was approximately a billion dollars less than the year before. That is primarily related to the decrease of Covid funding of which 900 million was directly related to the unemployment program.

Section E is where the SEFA is located in your bound report with the green cover, and on Page 1 you will see the Schedule of Federal Expenditures and Awards, which is listed by federal agency as well as ALN number.

The total expenditures also include -- included within the total expenditures as required to be reported is the amount of the pass-through to subrecipients, and this year there was a total pass-through of \$783 million.

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The SEFA is prepared by the State. As a part of the audit we review the SEFA and perform a variety of procedures to determine the completeness and accuracy of the SEFA that it was properly prepared. As a part of our opinion, which begins on Page D-3, we concluded that the SEFA is fairly stated in all material respects in relation to the basic financial statements as a whole. We previously presented on the basic financial statements and provided a clean opinion on those.

As outlined by the Uniform Guidance Requirements, we are not required to audit every program on the SEFA. Instead, we are required to focus our audit on certain large dollar programs as identified as Type A programs and higher risk Type B programs per the Uniform Guidance.

For the year ended June 30th, 2022, the Type A major program threshold was \$10.6 million as shown in our Summary of Audit Reports on Page F-1. The amount is noted -- the Summary of the Audit Reports begins on Page F-1, but the amount is noted on Page F-3.

That threshold determines our Type A programs. There was 25 federal programs for the State that had received funding or expenditures incurred of greater than 10.6 million, the largest being your Medicaid Program at \$1.8 billion.

The Uniform Guidance requires auditors to perform risk assessments over each program that meets or exceeds that Type A threshold to determine which programs will be audited. Once the Type A threshold risk assessment is determined, the risk assessments are performed over the Type B to identify which programs will be determined high risk and subject to our audit.

This year was unique. The Federal Government, as you know, deemed ten programs to be higher risk. Historically, only Medicaid was deemed higher risk. So taking this into account, and performing our required risk assessment process, we identified a total of 19 major programs. As you may recall, that is greater than the previous years as audited programs. Of those 19 programs, 16 were Type A programs and three -- three

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were Type B programs. The Type B programs, all three of them, were deemed higher risk programs by the Federal Government. Those were Airport Improvement Program, Federal Transit, and then Provider Relief.

In addition, of the 18 audit programs, ten of those had been audited in the previous year, the June 30th, 2021, audit, and were required to be re-audited as a result of the findings in the prior year audit. Those include Medicaid, Title I, Unemployment Insurance, Corona Relief Fund, Emergency Rental Assistance Program, Education Stabilization, SNAP, TANF, ELC, and LIHEAP.

As a result of our audit procedures performed, we identified 32 reportable findings related to the Uniform Guidance Audit for this year. Of the 32 reportable findings and our opinion is outlined in Section D of the report. Twenty-four of those findings are considered material weaknesses in internal controls. Eight of them were considered to be significant deficiencies in internal controls. Twenty-four were considered to be material non-compliance, of which six of those related to the reporting compliance audit area, five related to subrecipient monitoring, and five related to special tests. The good news for -- of these 24 findings, none related to allowability or eligibility compliance areas.

I do want to point out that ten of the 24 material non-compliance findings are within three programs. I know one of them you've already noted today, which is LIHEAP. Also, TANF, and then the Small Business Credit Initiative Technical Assistant Grant Program.

Of the 32 findings reported, 13 of them were repeat findings from the prior year. Of the 32 programs, three this year had questioned cost. Special-education finding cluster had a question cost over a period of performance in the amount of \$124,000. TANF had a special reporting compliance finding resulted in questioned costs of just 222, which did not rise to a material non-compliance. And then TANF had a question cost in

the amount of 13,530. I just wanted to draw the question cost to your attention.

Based upon the results of our audit procedures performed, we are required to provide an opinion related to the compliance of each major program audited. Based upon the internal controls and compliance identified, as shown within our summary of audit results, we issued a qualified opinion over 13 of the 19 programs we audited. Those were the ones that were considered the material weaknesses and in -- material weakness in internal control as well as in material non-compliance.

An unmodified or clean opinion was issued over six of your programs. And the good news here, the story to tell, is those were some of your largest new COVID funding programs, such as your provider relief and American Rescue Plan, your pandemic EBT, your airport improvement, your CRF fund, as well as your Federal Transit Formula Grant.

Of the 13 programs that received the modified opinions -- um -- I mean, the unqualified opinions, unmodified opinions, seven of those also received unmodified opinions -- qualified opinions in the previous years. Those would have included -- so those -- they were qualified last year, they're qualified this year. The seven programs include SNAP, Emergency Rental Program, Education Stabilization, ELC, TANF, LIHEAP, and Medicaid. Of the 13 programs that received modified funding, ten of them had COVID funding as well.

The findings themselves begin on Page F-4 of the report. The first finding relates to our financial statement audit. We had -- I had previously presented the results of those findings as it related to Unemployment Compensation Trust Fund in our presentation earlier in this year.

For each of the findings included in the report, Management is required to provide a response to the findings, which is also included at the bottom of each of the findings, as well as their Corrective Action Plan to resolve the matter. The Corrective Action Plans are presented to contain within the report as

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outlined in our opinion the State is responsible for preparing the Corrective Action Plans and the State's responses were not subject to our audit. And, as such, we do not express an opinion as relates to those Corrective Action Plans.

Does anyone have any questions? I know I covered a lot, but I know you had detailed knowledge of the report.

CHAIRMAN WEYLER: This is a monumental effort. How many auditors were involved?

MS. ZIMMERMAN: My team we consist of approximately 40 professionals, between IT and CPE, CPA audit professionals, as well as LBA staff to assist us.

CHAIRMAN WEYLER: I knew it was almost more staff than Mr. Smith has, so. Questions from the Committee? I guess when they dump all this money on us at once it's difficult to figure out where it all has to be reported and how it's reported. And some of these things that I read were very difficult to follow. All of a sudden you're a -- you're a pass-through where before you were a distributor -- distributor, and now you have all these other things that come up that, you know, and -- and you failed and -- and looking for disbarment on someone that you're passing things through. What if they're not a lawyer? Can they still be disbarred?

MS. ZIMMERMAN: Suspended, disbarred from the company.

CHAIRMAN WEYLER: I mean, I read these in several places and wondered this is a person that doesn't do any law work why would they be disbarred? Is that a term used in other areas as well as law?

MS. ZIMMERMAN: Yes, it is. So the Federal Government has deemed that entity, that not-for-profit, as having -- not reputable and should not be receiving Federal funds.

CHAIRMAN WEYLER: That's what -- I assumed disbarment was a wider net than what I originally assumed.

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MS. ZIMMERMAN: Yeah.

CHAIRMAN WEYLER: So appreciate all this information. Obviously, it's been difficult every year. This summary page is appreciated. It tells us what's going on in previous years. So it's not an easy task when they -- especially the amount of money that gets dumped and I don't think we get much warning, and then there's a whole new set of rules. So I think the groups have done pretty well considering all these problems that have suddenly you get a bunch of new money and it's got to be dispersed right away and you got to report right away, and we're short of people so.

MS. ZIMMERMAN: And you have to set up the policies and procedures in accordance with compliance. So that's really a story to tell that Management -- um -- those were clean opinions over those programs, that Management really put in the level of effort necessary, because if you look at your bulk of your findings over the long-term existing programs.

DANA CALL, State Comptroller, Department of Administrative Services: Mr. Chair, if I may? Dana Call, State Comptroller. I do just want to recognize all of the finance staff that in addition to the programmatic responsibilities, the finance staff at these agencies, many of which did not get additional resources that came with these funds. As you look through the actual SEFA expenditures, you can see that COVID-19 money that is highlighted in each category, some of which has been infused in additional -- already existing programs, but they got an influx of additional funding, perhaps with no additional resources to manage those funds. So I do want to recognize the agency staff, as well as my staff led by Steve Giovinelli who has been preparing this monumental book for several years. And after his stint with GOFERR came back to us and was able to pick right up and -- and we're really pleased that the findings have maintained at a reasonable level that we think we can manage going forward. So thank you.

CHAIRMAN WEYLER: Senator Gray.

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SEN. GRAY: Um -- my concern is the repeating items. Not only on this audit but other audits. And -- and I haven't been able to pin anybody down whether it's Administrative Services or somewhere else that needs to be the one that tracks these things and looks at them, current status, et cetera. You know, plan of action, milestones, those kind of things because we shouldn't have all the repeating items that we've had in the last few months. Thank you.

MS. CALL: Yeah. Thank you for the comment. Excuse me. And we do -- we have at Administrative Services have Corrective Action Report Filing Status Program that we work with each Commissioner to engage them in -- in really following up quarterly on these findings. We did have some slippage in that because of the movement with our staff over to GOFERR, and now we're going to pick that back up. So I do think it falls on both equally. It falls on Administrative Services to monitor and for the agencies to actually implement their Corrective Action Plans; but we do have a tool to -- to monitor that.

SEN. GRAY: Follow-up. Just after the budget's done, come see me.

MS. CALL: Excellent. I will.

SEN. GRAY: Thank you.

CHAIRMAN WEYLER: And if you have a follow-up report we'd be interested, especially on these items that reoccur. Further from the Committee Members? And I forgot to welcome Senator Innis as a replacement. And also on our side we have Representative Mooney sitting in for Representative Edwards, so. And, as usual, I have my -- my faithful alternate members here always to make sure they stay up with everything and I appreciate them being here. (Inaudible). Representative Heath is sitting in for Representative Wallner. I'll recognize Representative Erf for a motion.

****** REP. ERF: Move to accept, place on file -- oops! No, go ahead.

MS. CALL: I was just going to ask to do that.

REP. ERF: Better than say move to adjourn.

CHAIRMAN WEYLER: Accept the report.

REP. ERF: Move to accept, place on file, and release to the public in the usual manner.

CHAIRMAN WEYLER: Is there a second?

SEN. GRAY: Second.

CHAIRMAN WEYLER: Second from Senator Gray. Further discussion? Seeing none. All in favor say aye? Opposed no? Thank you for all that busy work.

***** {MOTION ADOPTED}**

MR. KANE: Just one more item, Mr. Chairman. Just the date of the next meeting. The third Friday in May is the 19th.

CHAIRMAN WEYLER: We will have a session on the 18th. So we will have finished up a lot of the stuff in the House. How about the Senate? Any more convenient time or do you wish a different day?

SEN. ROSENWALD: The Fallen Law Enforcement Officers Memorial Service.

CHAIRMAN WEYLER: Is that on the 19th?

SEN. ROSENWALD: Is the 19th at 10:00 a.m.

CHAIRMAN WEYLER: Same time we'd be starting.

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SEN. D'ALLESANDRO: [Inaudible]. That's happened a number of times we've had the meeting.

CHAIRMAN WEYLER: It hasn't interfered?

SEN. D'ALLESANDRO: (Inaudible).

CHAIRMAN WEYLER: It might be hard to find your way into the parking garage.

REP. ERF: Can I ask you -- can I ask a question?

SEN. D'ALLESANDRO: Those of us who have been on this Committee know that (Inaudible) and the idea of trying to move things is problematic because of other things.

CHAIRMAN WEYLER: That's right, because you have other things going on.

REP. ERF: I have a question for the Committee. It seems somewhere along the line we switched from being the second Friday to being the third Friday. And the third Friday has traditionally been our Executive Committee meeting in the County, which I've not been able to go to for a while now. And I'm just wondering is it a problem to put it on the second Friday?

SEN. ROSENWALD: It's always been third Friday.

SEN. D'ALLESANDRO: It's always the third Friday.

REP. ERF: Well, something definitely changed because on the second -- it may be all right. Maybe you're correct. But on the second Friday I have the judicial retirement meeting and that hasn't changed. In fact, I had them move it to later in the afternoon so that I could do this in the morning. If it's possible to change would be great. If not, I'll just deal with it and I'll just tell them.

CHAIRMAN WEYLER: Would you be done with your meeting by noontime?

REP. ERF: Yes. On the second -- on the second Friday though.

SEN. GRAY: I believe on the 19th there's already meetings scheduled for 10 and 11:00 in the afternoon. Health and Human Services Oversight Committee is in the afternoon.

REP. ERF: This is why I brought up the second Friday. I was hoping the second Friday would have worked better for people. Would that be 12th?

CHAIRMAN WEYLER: What do you have on the second Friday, the 12th?

SEN. ROSENWALD: Nothing. (Inaudible.)

REP. ERF: It's the fourth? I'm sorry, I said the fourth.

(Inaudible.)

REP. ERF: No, be the fourth. Okay, the fourth. The Executive Committee's meeting the fourth? So they switched to the third? [Inaudible]. It's today. Today's the third. No, it's always been -- it's been this for --

CHAIRMAN WEYLER: So the Hillsborough County is not on the 19th?

REP. ERF: Okay. I guess not. No, it is on the 19th. No, no, the 26th. I don't believe you because I've missed it like three times because of this.

[Inaudible].

CHAIRMAN WEYLER: All right. So that's not -- that's not a problem the 19th, 10:00 a.m. All right. Let's make it 10:00 a.m. on -- on May 19th for Fiscal. Um -- any -- any idea, Mr. Kane,

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will there be a lot of items or are there any -- Mr. Smith will be bringing in several audits or maybe one or two? One at the most? Okay.

MR. KANE: You'll start to pick up on the number of items due to the end of the year. So you're probably still --

CHAIRMAN WEYLER: It anybody's guess.

MR. KANE: It's a little heavier than this. I would guess in the 40 item range for the next couple months.

CHAIRMAN WEYLER: But we were successful on covering most of them on a Consent Calendar. So maybe that will continue. All right. May 19th, 10 o'clock, next meeting. Anything further for the good of the order? The Committee is adjourned. Thank you all for coming.

(Meeting adjourned.)

C E R T I F I C A T E

I, Cecelia A. Trask, a Licensed Court Reporter, do hereby certify that the foregoing is a correct transcript from the YouTube video/audio recording of the Fiscal Committee meeting on Friday, April 21, 2023, and has been transcribed to the best of my professional skill and ability.

Cecelia A. Trask, RMR, CRR
NH Licensed Court Reporter #00047

JOINT LEGISLATIVE FISCAL COMMITTEE

April 21, 2023